

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>GCI CONSOLIDATED, LLC d/b/a</b>	)	
<b>GOLF CLUB OF ILLINOIS LINKS</b>	)	
<b>LIMITED PARTNERSHIP ROLLING</b>	)	
<b>KNOLLS, LLC</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>CASE NO. 1:23-cv-3807</b>
<b>ALLIED PROPERTY AND</b>	)	
<b>CASUALTY INSURANCE COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT ALLIED PROPERTY AND CASUALTY INSURANCE COMPANY’S  
PARTIAL MOTION TO DISMISS PLAINTIFF’S COMPLAINT**

Plaintiff’s Complaint (ECF 1) purports to assert a claim against Defendant for breach of contract, violations of the Illinois Insurance Code, and common law fraud. The Court should dismiss Count II and III in the Complaint because they fail to state a claim upon which relief can be granted. Specifically, Plaintiff failed to allege sufficient factual support to state a claim upon which relief can be granted for Count II. Plaintiff failed to state with particularity the circumstances constituting fraud or mistake in Count III as required by Fed. R. Civ. P. 9(b).

For these reasons, which are set forth more fully in the Memorandum in Support filed contemporaneously, Count II and III of Plaintiff’s Complaint fails to state a claim upon which relief can be granted. Pursuant to Federal Rule of Civil Procedure 12(b)(6), the Court should dismiss Count II and III of the Amended Complaint with prejudice.

Dated: September 7, 2023

Respectfully submitted,

**DENTONS US LLP**

/s/ Sulema Medrano

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*Attorneys for Defendant, Allied Property and  
Casualty Insurance Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7 day of September, 2023, a true and accurate copy of the foregoing document was served upon the following by electronic service to:

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*Attorney for Plaintiff*

/s/ Sulema Medrano  
*Attorney for Defendant*